

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KEICHA BYRD,

Civil Action No.:

Plaintiff,

v.

NOTICE OF REMOVAL

KYLE L. RAIKES, and THE FELIX GROUP
d/b/a KWJW DISTRIBUTORS, LLC, JOHN
DOES 1-10 (said names being fictitious) and
XYZ CORPORATIONS 1-10 (said names
being fictitious),

Defendants.

Petitioners, KYLE L. RAIKES and THE FELIX GROUP d/b/a KWJW DISTRIBUTORS, LLC, referred herein as Defendants in the above-entitled action, by their attorneys, TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP, respectfully show this Court:

1. The Petitioners are named Defendants in the instant action.
2. This action was commenced by the filing of a Complaint in the Middlesex County Superior Court of New Jersey, Law Division, on August 16, 2021. See Exhibit A.
3. Respondent/Plaintiff in the above-captioned matter claims to have sustained permanent personal injuries as the result of a motor vehicle accident with Petitioners that occurred on or about February 17, 2021. See Exhibit A.
4. The Summons and Complaint were served on Petitioner, Kyle L. Raikes, on September 3, 2021. See Exhibit B.
5. Petitioner, Kyle L. Raikes, is a resident of Baltimore, Maryland, residing at 1754 Homestead Street, Baltimore, Maryland, 21218.

6. The Summons and Complaint have not yet been served on Petitioner, The Felix Group d/b/a KWJW Distributors, LLC, however, The Felix Group d/b/a KWJW Distributors, LLC consents to the within Notice of Removal.

7. The Felix Group, LLC is incorporated in the State of Maryland and its principal place of business is located at 6100 Westchester Park Drive, Unit 1119, College Park, Maryland, 20740.

8. Keith Felix and Rayshawn Felix are the Registered Agents of The Felix Group, LLC, and both Keith Felix and Rayshawn Felix reside at 9739 Goodluck Road, Apartment 12, Lanham, Maryland, 20706.

9. Respondent/Plaintiff is domiciled in Plainfield, New Jersey.

10. There are presently no ascertainable parties to this action who are believed to reside in New Jersey other than Respondent/Plaintiff.

11. An Answer to Respondent/Plaintiff's Complaint was filed on behalf of Petitioner, Kyle L. Raikes, on October 8, 2021. See Exhibit C.

12. On October 7, 2021, Petitioners served Respondent/Plaintiff with a Request for Statement of Damages. See Exhibit D.

13. On October 21, 2021, Petitioners served Respondent/Plaintiff with a Second Request for Statement of Damages. See Exhibit E.

14. On October 27, 2021, Petitioners filed a Motion to Compel Respondent/Plaintiff's response to Petitioner's Request for Statement of Damages. See Exhibit F.

15. In response to Petitioner's motion, Respondent/Plaintiff served Petitioners with her Response to Petitioners' Request for Statement of Damages on November 3, 2021, indicating Respondent/Plaintiff demands \$1,000,000. See Exhibit G.

16. As such, the amount in controversy claimed by Respondent/Plaintiff in this matter exceeds \$75,000.00, exclusive of interest and costs. See 28 U.S.C. § 1332(a) and § 1446(b).

17. Accordingly, this Court has original jurisdiction of the instant civil action pursuant to 28 U.S.C. § 1332 because the parties are completely diverse and the amount in controversy exceeds \$75,000.00. This matter is therefore ripe for removal.

18. Removal is timely as Petitioners did not obtain Respondent/Plaintiff's response to their Request for Statement of Damages until November 3, 2021, and Petitioners filed the instant Notice of Removal within the requisite thirty (30) day time limitation.

WHEREFORE, Petitioners pray that the instant action now pending before the Superior Court of New Jersey, Middlesex County, Law Division, be removed therefrom to the United States District Court for the District of New Jersey, and for such other and further relief as this Court deems just and proper.

Dated: December 1, 2021

TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP

By: _____

Gregory S. Pennington, Esq.

Attorney for Petitioners: Kyle L. Raikes and The Felix Group d/b/a KWJW Distributors, LLC

322 Highway 35 South

Red Bank, New Jersey 07701

(732) 985-1000

TLSS File No.: 0450.0020